BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

A Resolution of the City Council of the City of Lafayette Adopting and Implementing the Lafayette Whistleblower Policy	))))	Resolution No. 2009-12

WHEREAS, the City of Lafayette strives to conduct all of its activities in a responsible, legal, and accountable manner; and

WHEREAS, in furtherance of that goal, the City Council wishes to implement a policy encouraging all employees of the City of Lafayette to report activities that may be fraudulent, unethical, dangerous to City employees or the public, or conducted in violation of the law, and to ensure that employees who report such activities under this policy will be protected from retaliation.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council does hereby adopt the Lafayette Whistleblower Policy attached hereto as Exhibit A.

Section 2. This Resolution shall be effective immediately after its adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Lafayette at a regular meeting of said Council on February 23, 2009 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Joanne Robbins, City Clerk

APPROVED:

Don Tatzin, Mayor

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EXHIBIT A

WHISTLEBLOWER POLICY

[Attach behind this page]

EXHIBIT A

WHISTLEBLOWER POLICY

The City of Lafayette strives to conduct all of its activities in a responsible, legal, and accountable manner. In furtherance of that goal, all employees of the City of Lafayette are encouraged to report either orally or in writing to their immediate supervisor, or alternate line of authority as herinafter described, all evidence of activity by a City of Lafayette department or employee that may constitute:

- financial fraud;
- unethical business conduct;
- a violation of state or federal law; or
- substantial and specific danger to the employee's or public's health and safety.

Any employee of The City of Lafayette who in good faith reports such incidents as described above will be protected from threats or retaliation, discharge, or other types of discrimination, including, but not limited to, compensation or terms and conditions of employment that are directly related to the disclosure of such reports. In addition, no employee may be adversely affected because the employee refused to carry out a directive, which, in fact, constitutes fraud or is a violation of state or federal law.

Insofar as possible, the identity of the whistleblower will remain confidential. However, the City of Lafayette reserves the right to disclose the identity of the whistleblower if, in the City of Lafayette's absolute discretion, identity may have to be disclosed to conduct a thorough investigation, to comply with applicable laws and/or to provide accused individuals their legal rights of defense.

Any employee who wants to report evidence of alleged improper activity as described above should contact his or her immediate supervisor, or the supervisor's manager. If the employee is uncomfortable for any reason addressing such concerns to their supervisor or the manager of such supervisor, the employee may contact Mayor Don Tatzin, City Manager Steven Falk, Administrative Services Director Tracy Robinson or the City Attorney Malathy Subramanian. The contact information for Mayor Tatzin, Mr. Falk, Ms. Robinson and Ms. Subramanian are provided below. Employees are encouraged to provide as much specific information as possible including names, dates, places, and events that took place, the employee's perception of why the incident(s) may be a violation, and what action the employee recommends be taken. Employees will receive a reply to their report within twenty business days or as soon as practicable thereafter.

CONTACTS:

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